

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.17379 OF 2026

Ekta Meadows A,B,C,D,E,F & G
Cooperative Housing Society Ltd. Petitioner

Vs.

The State of Maharashtra
Through the Urban Development Department & Ors. Respondents

Mr. Uday Warunjikar, Senior Counsel a/w Adv. A. Khan i/by Adv. Jahangir Khan, for the Petitioner.

Ms. Usha Rahi, AGP for the Respondent No.1-State.

Ms. Anuja Tirmali i/by Ms. Komal Punjabi, for the Respondent Nos.2 to 4-BMC.

**CORAM : SHYAM C. CHANDAK AND
SHREERAM V. SHIRSAT, JJ.**

**DATED : 25th MAY, 2026
(VACATION COURT)**

P.C. :-

- 1) Mr. Warunjikar, learned Senior Counsel for the Petitioner, at the outset, seeks leave to amend the Petition to enclose the Communication dated 19.05.2026 issued by Dahisar Transport Department, Mumbai.
- 2) Leave to amend is granted.
- 3) Amendment be carried out forthwith.
- 4) Re-affirmation of the Petition is dispensed with.
- 5) Issue notice to the Respondents.
- 6) Ms. Rahi, learned AGP waives notice on behalf of Respondent

No.1-State. Ms. Tirmali, learned Counsel waives notice on behalf of the Respondent Nos.2 to 4.

7) Heard learned counsel appearing for the parties.

8) Mr. Warunjikar, the learned Senior Counsel submitted that the Communication dated 19.05.2026 addressed to the Petitioner-society by the Senior P.I., Dahisar Transport Department, Mumbai claims that possession of the proposed D.P. road passing through CTS No.279, Khatao Estate, Borivali (East), Mumbai is with the Municipal Corporation. An unauthorised parking of the vehicles of the members of the Petitioner may pose an obstruction to emergency service providing vehicles like ambulance, vehicles of Fire Brigade Department etc. passing from the said road. Therefore, the said communication directs to take an action against the unauthorised parked vehicles.

9) However, the Communication dated 19.05.2026 does not claim that some steps have been taken by the Corporation concerned towards development of the proposed D.P. road. Mr. Warunjikar, the learned Senior Counsel for the Petitioner submitted that the members of the Petitioners have been using the place for parking as per the approved plan. The member of the Petitioner will not park their vehicles in any unauthorised manner.

10) In view thereof, the Respondent shall not act upon the communication dated 19.05.2026 till the next date.

11) However, the Petitioner shall not allow the parking of the vehicles of its members in an unauthorised manner thereby causing an

obstruction to ambulance, vehicles of Fire Brigade Department, etc. passing from the proposed D.P. road.

12) Stand over to 15th June, 2026.

(SHREERAM V. SHIRSAT, J.)

(SHYAM C. CHANDAK, J.)